

AMERICAN ARBITRATION ASSOCIATION

Commercial Arbitration Tribunal

In the Matter of the Arbitration between:

Re: 55 421 00351 06

Thomas & Marianne Alsop
 and

("Claimants")

James Weese, individually and as
 President of Tygarts Valley Construction

("Respondent")

AWARD OF ARBITRATOR

I, THE UNDERSIGNED ARBITRATOR, having been designated in accordance with the arbitration agreement entered into by above-named parties and dated May 7, 2004, and having been duly sworn and having heard the proofs and allegations of parties, and Claimants, having made a motion to amend its claim and Respondent, also having made a motion to amend its counterclaim, and the Arbitrator having agreed to consider same, do hereby, FIND, as follows:

For Claimant:

Front Porch	\$ 13,708.37
Deck	\$ 12,096.00
Chimney	\$ 46,400.00
Splash Drains	\$ 17,818.36
Curtain Drains	\$ 74,038.92
Dog Fence & Yard	\$ 1,900.00
Footers	\$ 34,884.80
Electric	\$ 8,043.68
Plumbing	\$ 3,275.91
HVAC	\$ 8,077.66
Kitchen Island	\$ 0.00
Morgantown Landscapers	\$ 3,000.00
Allegheny Design	\$ 3,000.00
CIA	\$ 3,000.00
Mill Run Farm	\$ 6,843.00
Spray Pro	\$ 2,453.90
CEC Deck Seal	\$ 0.00
Jan Hanke	\$ 14,000.00
McWilliams Masonry	\$ 19,000.00
Miller Masonry	\$ 8,955.00
Gumm Construction	\$ 194,521.20
Credit for garage floor heating	\$ (650.00)
SUBTOTAL	\$ 474,366.80
Less adjustment of administrative/indirect costs	\$ 13,843.83
TOTAL	\$ 460,522.97

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AWARD OF ARBITRATOR CONTINUED

For Respondent:

Balance due on contract

\$ 67,974.00

Accordingly, I AWARD as follows:


Respondent shall pay to Claimants the net sum of Three Hundred Ninety Two Thousand Five Hundred Forty Eight Dollars and Ninety Seven Cents (\$392,548.97).

Each party shall pay its own Attorney's fees.

The administrative fees of the American Arbitration Association totaling \$11,050.00 and the compensation and expenses of the arbitrator totaling \$8,159.41 shall be borne by parties as incurred.

This Award is in full settlement of all claims and counterclaims submitted to this Arbitration. All claims not expressly granted herein are hereby, denied.

11/22/07
Date


James E. Brown

I, James E. Brown, do hereby affirm upon my oath as Arbitrator that I am the individual described in and who executed this instrument, which is my Award.

11/22/07
Date


James E. Brown